ELITE LOFTS / HOMEOWNER GUIDE

Before you serve the notice

England | Party Wall etc. Act 1996

Use page 2 for typical loft conversion works that exercise a right under section 2. Page 3 is an optional reply for the adjoining owner. Send the completed notice, its listed enclosures and the reply form. Keep this guide for reference.

Identify the work and the owners

Confirm which wall or structure is affected and what the design actually requires. A separating wall can be solid or cavity construction. Its construction alone does not establish whether it is a party wall under the Act. If the status of the structure or the scope of the work is unclear, seek advice before serving.

Name all building owners and serve every qualifying adjoining owner. This can include joint owners, freeholders and qualifying leaseholders, including owners who live elsewhere. Check section 20 if ownership is unclear. Follow section 15 for service and keep a record of what was served, when and how. Use email only if the recipient has stated willingness to receive the relevant document electronically, has specified the address and has not withdrawn that willingness.

Complete the particulars and allow time

Replace the brackets and remove unused prompts. Identify the affected structure, the location and nature of each alteration, and how supports or fixings interact with it, where relevant. List any engineer drawings by number, revision and date. Include the particulars in the notice or an expressly identified continuation sheet.

Allow at least two months from service to the proposed start. Starting sooner requires separate written consent from all relevant adjoining owners and adjoining occupiers under section 3(3)(a). Check section 3(2)(b) if work is delayed or interrupted, particularly if it has not begun within 12 months of service.

Check the response and any other notices

If any adjoining owner dissents or does not serve written consent within 14 days beginning on the day of service, follow the section 10 dispute procedure before starting the affected work. The owners can appoint one agreed surveyor or each appoint a surveyor. An award made under that procedure is a separate document. Section 4 allows certain counter-notices within one month of service.

This version is for works without special foundations. If special foundations are proposed, section 3 requires plans, sections, construction details and reasonable load particulars. Section 7(4) also requires prior written consent to place them on adjoining land. Boundary work under section 1 and qualifying excavation under section 6 have their own notice requirements. Planning and building regulations are separate.

GOV.UK explanatory booklet and example letters

Read the Party Wall etc. Act 1996

Elite Lofts provides this generic template for information only. It does not provide legal or surveying advice through this template or guarantee its suitability for your project. Your statutory rights and any liability that cannot lawfully be excluded or limited are unaffected.

01 / BUILDING OWNER

Party Structure Notice

Notice under section 3 of the Party Wall etc. Act 1996 for proposed works under section 2

To the adjoining owner
[Full name and address for service]

Adjoining property
[Full address and postcode]

From the building owner
[Full names of all building owners and their correspondence address or addresses]

Property where the work is proposed
[Full address and postcode]

Date of this notice
[Day month year]

I/we give you notice that I/we propose to carry out the following work under section 2 of the Party Wall etc. Act 1996 in connection with a loft conversion at the property identified above.

Nature and particulars of the proposed work

[Identify the party wall or party structure and the exact area affected. Describe the alterations, including any proposed bearing, support, fixing or removal and its location and extent where relevant. Use the actual design details. Add a clearly referenced continuation sheet if needed.]

_____

_____

Enclosures
[List any continuation sheets and engineer drawings by title, reference, revision and date, or state “None”.]

The works described in this notice do not involve special foundations.

Proposed start date for the notified works
[Day month year]

Please serve your written response at the building owner’s correspondence address above. An optional reply form is enclosed. The 14-day response period begins on the day this notice is served.

Building owner signature and printed name
Signature _____ Name _____

[Add signature lines for joint owners. If signing on behalf of an owner, give your name, capacity and the name of the owner you are authorised to represent.]

02 / ADJOINING OWNER

Reply to Party Structure Notice

Optional acknowledgement and response under the Party Wall etc. Act 1996

To the building owner
[Name and correspondence address shown on the notice]

From the adjoining owner
[Your full name and correspondence address]

Adjoining property
[Full address and postcode]

Property where the work is proposed
[Full address and postcode]

Notice details
Notice dated _____ Date served, if known _____

I/we acknowledge the notice identified above. Please select one option and serve your signed reply on the building owner. The response period is 14 days beginning on the day the notice is served.

Your response

☐ I/we consent to the works as described in the notice and its listed enclosures. This consent is limited to those works and does not waive rights under the Act or give permission to start before the notice period ends.

☐ I/we do not consent to the works as notified. The dispute procedure under section 10 applies.

Comments or questions if you wish to include them

_____

_____

Adjoining owner signature and printed name
Signature _____ Name _____

Date _____

Joint owners may sign separate copies or add their signatures and printed names. Acknowledging receipt alone does not give consent. This reply records your response to the notice and is not a party wall award.

GOV.UK guidance for adjoining owners